✎AO 247 (02/08)   Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT
for the

Western District of Louisiana

United States of America	)
v.	)
	) Case No: 2:99CR20002-001
Kenneth R. Leday	) USM No: 83364-079
Date of Previous Judgment: 4/18/2005	)
(Use Date of Last Amended Judgment if Applicable)	) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ❐ the defendant ❐ the Director of the Bureau of Prisons ✔ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:
  ✔ DENIED. ❐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____ .

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____   Amended Offense Level: _____
Criminal History Category: _____   Criminal History Category: _____
Previous Guideline Range: _____ to _____ months   Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

❐ The reduced sentence is within the amended guideline range.
❐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
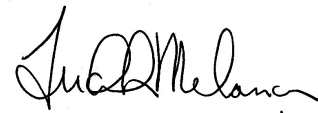❐ Other (explain):

III. ADDITIONAL COMMENTS

The presentence calculations did not include cocaine base, therefore no relief is available.

Except as provided above, all provisions of the judgment dated   4/18/2005   shall remain in effect.

IT IS SO ORDERED.

Order Date: 03/05/2008

_____
Judge's signature

Effective Date: _____   Tucker L. Melançon, United States District Judge
(if different from order date)   Printed name and title